

## DISTRICT OF NEVADA

Case No. 2:19-cv-01964-APG-EJY

## ORDER

BRIAN WILLIAMS, et. al,

Respondents.

Petitioner Jason Owens has filed an application to proceed *in forma pauperis* and a habeas petition. ECF No. 1.

The matter has not been properly commenced because the pauper application does not include all required attachments. Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR1-2, a petitioner must attach both an inmate account statement for the past six months and a properly executed financial certificate. Owens has not complied with either requirement. The application is therefore incomplete.

The application for leave to proceed *in forma pauperis* will be denied, and the present action will be dismissed without prejudice to the filing of a new petition in a new action with a pauper application on the proper form with all required attachments.

I THEREFORE ORDER that the application to proceed *in forma pauperis* (**ECF No. 1**) is **DENIED** and that this action is **DISMISSED** without prejudice to the filing of a new petition in a new action with a properly completed pauper application.

I FURTHER ORDER that a certificate of appealability is DENIED, as jurists of reason would not find my dismissal of this improperly commenced action without prejudice to be debatable or incorrect.

1 I FURTHER ORDER the Clerk to send the petitioner two copies each of an application  
2 form to proceed *in forma pauperis* for incarcerated persons and a noncapital Section 2254 habeas  
3 petition form, one copy of the instructions for each form, and a copy of the papers that he  
4 submitted in this action.

5 I FURTHER ORDER the Clerk to enter judgment accordingly and close this case.

6 Dated: November 19, 2019.

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8 ANDREW P. GORDON  
9 UNITED STATES DISTRICT JUDGE  
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